

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

TIERRE THEO WALTON,

Case No. 0:20-cv-00165-ECT-KMM

Plaintiff[,

v.

ORDER

BLUE EARTH COUNTY; and
BRADLEY PETERSON, Sheriff, Blue
Earth County;

Defendants.

This matter is before the Court on the Defendants' August 3, 2020 letter requesting leave to take Mr. Walton's deposition. ECF No. 32. According to the Scheduling Order, depositions are permitted in this case only after a party obtains leave of the Court. ECF No. 16 at 2. To obtain such leave, a party should explain who the party seeks to depose, explain why the deposition would be helpful to the presentation of the party's case, and briefly describe why the party believes the deposition is proportional to the needs of the case. *Id.* The deadline for submitting a request to conduct a deposition was August 3, 2020, and any objection was required to be filed a week later. *Id.*

The Defendants' August 3rd letter satisfies the Scheduling Order's requirements for obtaining leave to conduct a deposition. Defendants reasonably propose that the deposition is helpful to the presentation of this case because Mr. Walton's testimony may elaborate on his claims in greater detail, which in turn, will allow the Defendants to more thoroughly investigate any support for his claims. The Defendants also convincingly explain that Mr. Walton's deposition would be proportional to the needs of the case because he is the Plaintiff in this action, his testimony is essential to understanding the nature and support for his claims, and the deposition could be conducted remotely, thereby minimizing any potential burdens on the parties and risks associated with the ongoing COVID-19 pandemic. Additionally, the Court notes that although Mr. Walton was served with a copy of the Defendants' request, he did not submit any opposition to

being deposed. For these reasons, the Court finds that the Defendants have demonstrated good cause to conduct Mr. Walton's deposition and their letter requesting leave to do so, ECF No. 32, is **GRANTED**.

IT IS SO ORDERED.

Date: August 26, 2020

s/Katherine Menendez
Katherine Menendez
United States Magistrate Judge